

REMARKS

This amendment is submitted in full response to the outstanding Office Action of April 26, 2000 on the merits of the above-identified case. Also, in an abundance of caution and candor, submitted under separate cover is an Information Disclosure Statement which is not believed to impact the allow-ability of the claims as presented.

In the outstanding Office Action, claims 1-6, and 8-25 stand rejected under 35 U.S.C. §102 as being anticipated by Kim (U.S. Patent No. 5,707,384). Specifically, the Examiner has indicated that the Kim reference discloses a restrictor 12. A close examination of the Kim reference, however, points out that unlike the Applicant's claimed invention, the disclosed restrictor 12 is actually structured to hold the lancet cocked and ready to be fired until protuberances 7 push in on the sides of the elastic member 11 until the lancet is released from the cocked orientation. Furthermore, it is urged that if desired, a user could re-cock and re-fire the referenced lancet. This is clearly unlike the Applicant's claimed invention wherein the restrictor assembly prevents the lancet from moving substantially towards and into the cocked orientation, thereby substantially preventing re-firing of the lancet.

Accordingly, based on the above remarks and the contents of

the references of record, the Examiner is respectfully requested to reconsider her position. Since nowhere in the art is this new, novel and not obvious combination to be found, taught, or suggested, it is urged that this case is now clearly in condition for allowance and, accordingly, the same is solicited.

Respectfully submitted,

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